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Abstract

You don't have to know the work of the legal theorist, Pierre Legendre, to read Toni Morrison's new novel, *Paradise* (Morrison 1997) but it doesn't hurt. The novel is not ostensibly about law (as one might expect, in *Paradise* there is no crime). Nevertheless, law is central to the novel. It is what the paradisaical community rests on, the foundation of the symbolic order. It lays down what would be taken to be the inalterable places of this society and culture. Law is constitutive, what constitutes, constitutional; which as we shall see is no fortuitous analogy. *Paradise* is a story of foundations, or foundational myths, at the center of which is law. With unusual uncanniness, these not-so-buried themes in Morrison's work overlap with Legendre's psychoanalytically based legal theories. If his work is an explication and explanation of the symbolic function of law -- what rests in society's legal unconscious -- Morrison's novel is an illustration of it. While the point of this paper is not to illustrate Legendre but to illuminate Morrison, awareness of Legendre makes corners and connections in *Paradise* brighter.

Law & The Sacred: Moving Beyond the Law of The Fathers Toni Morrison's *Paradise*

M. M. Slaughter

Introduction

You don't have to know the work of the legal theorist, Pierre Legendre, to read Toni Morrison's new novel, *Paradise* (Morrison 1997) but it doesn't hurt. The novel is not ostensibly about law (as one might expect, in *Paradise* there is no crime). Nevertheless, law is central to the novel. It is what the paradisaical community rests on, the foundation of the symbolic order. It lays down what would be taken to be the inalterable places of this society and culture. Law is constitutive, what constitutes, constitutional; which as we shall see is no fortuitous analogy. *Paradise* is a story of foundations, or foundational myths, at the center of which is law.

With unusual uncanniness, these not-so-buried themes in Morrison's work overlap with Legendre's psychoanalytically based legal theories. If his work is an explication and explanation of the symbolic function of law -- what rests in society's legal unconscious -- Morrison's novel is an illustration of it. While the point of this paper is not to illustrate Legendre but to illuminate Morrison, awareness of Legendre makes corners and connections in *Paradise* brighter.

Legendre

Legendre's extensive and elaborate project examines the way in which law institutes the social life of biological beings as well as the way in which it institutes authority, the two necessarily being related.¹ Law pre-determines one's social fate and brings about an orderly accession to that fate. Through law, society/culture transmits itself across generations and reproduces itself.

In Legendre's scheme, law is a fundamental element or structural part of the symbolic order to which humans are subject. The symbolic order is the order of social givens (laws), like language and culture. The subject, or individual subjectivity, is created by entry of the human animal into the symbolic structure. Law or prohibition is necessary for the creation of the social (as opposed to merely animal) subject. Interdiction creates a self separated from itself and as such free from the paralysis of narcissism. While it divides the subject from wholeness (with mother or self-image), according to Legendre it is a fortunate fall.

Legendre's picture of the symbolic order borrows from Freud's account in *Totem and Taboo* (Freud 1985). There, Freud posited that the social order is established by warring sons who kill the father and then, in an act of contrition, re-establish him as a sacred totem, as the god or power to which all must submit. The totemic god establishes the fundamental law of the social order, that is, the oedipal prohibition against murdering the father and marrying the mother. The prohibition creates the cut in nature and establishes the order of culture. All is not permitted; there can be no wholeness, that is, no unification with the mother; limits are established, commanded, imposed; instinct must be controlled. Symbolic substitutions must be made for what is lost, absent and missing.

Law places one in a grid of familial relationships, limits and power. These familial relationships form the paradigm for social relationships. The father is the image and principle of the limit and the consequent separation and absence. He is the paternal image of prohibition, of authority, fate, power or law to which one is subject as a human and social being. The law is the voice of the father; to speak the law -- either as text or judge -- is to speak in the name of the father. The first fact of social life is that one is born to, and submitted to, the (divine, secular and familial) father. Your fate is attachment and submission to paternal power in one guise or another.

The paternal is the ultimate image of all order and authority. Just as the father 'founds' the family, so the totemic father 'founds' the social order. Society and the state are represented by a paternal image. This image is a figure of the absent father which brings him back and re-presents him. The social order, therefore, is always founded on a lost or absent father. Ultimately, the presence behind the paternal image is always a sacred father. The Emperor, King, Monarch, Founding Father(s), Nation, fatherland, etc. is representative of the divine power to whom society or paternal authority traces its origin and

'legitimacy'. This operates as a founding myth and gives the political figures a quality of the sacred. This quality is maintained by a similarly powerful image of genealogy, that is, of sacred patriarchs reproducing themselves through time.

The community (state, nation) is, therefore, created in the image of the family and more particularly, of the genealogy of the father's line. The order (and existence) of society recapitulates and turns on the order of the family. Society is seen as one big family bound in submission to the law of the father.

Law and genealogy go hand in hand. The original law is the father's prohibition against incest. This creates a particular kind of family and as a result a particular kind of genealogical order. Genealogy is, in a sense, the first system of law, for it distinguishes the relationships which are legitimate (within the law) from those which are illegitimate (outside the law). Genealogy traces the legitimacy of paternal authority. It states the law of limits and places. One is instituted into the law of a socio-political genealogy as one is instituted into a biological genealogy. By virtue of genealogy, virtue of genealogy, one inherits, or is submitted to, the law of the father, monarch, or ancestors.

Genealogy ties the secular to the sacred and therefore establishes the legitimacy of secular authority. The political father gets his power from the ancestor who got it from god; his authority is tied to and represents the divine father. He is the direct pipeline to the sacred, to sacred truth and sacred law. Since the ancestors and fathers are representatives or images of the divine, they attract love and require submission to their line, their 'tradition', 'heritage', or law.

Genealogy is also the place of immortality where death is defeated. While the individual is mortal, as long as the line continues, he is immortal. (The king is dead, long live the king.) Fathers live in, and because of, the transmission of the genealogical line, that is, the line of the family, society, nation or culture. Refusing to acknowledge the line, the genealogy, or refusing to carry it forward, means the end of the line. It means death for the father.

How does one come to accept this genealogy and one's place in it? According to Legendre, the subject is bound and attached to the father and desires and loves him. Like a jealous god, the father requires an unreflective, irrational love, which is to say, absolute faith. The subject comes to love and desire the law, that is, its submission to paternal authority. Similarly in the (social) unconscious, the symbolic order, the image is of an absence or lack which causes desire for the thing. The image fixes law as object of veneration.

Sacred American Law

However much one cares to accept all or part of this Legendrian analysis, the idea of a love of the law, and a worship of foundations as sacred, has a particular resonance for Americans. The Constitution, which embodies the American political and legal order was, and still is, treated with a reverence unknown in other nations. Americans have been considered from the beginning to overtly regard their constitutional order as sacred. Their belief in its virtues constitutes a 'civil religion'.²

Americans have never been reluctant about the presence of Divine Providence in their secular history. The Pilgrim fathers saw their journey into the wilderness of the new world as one of Biblical proportions: one that was ultimately to end in the creation of the New Jerusalem, the City on the Hill envisioned in Revelation. They brought a reverence for law with the Protestant theology they carried to the New World; the covenant theme and covenant theology is particularly strong in American history. The Puritans believed that they had entered into a covenant with God and promised adherence to the law in exchange for His protection of them as His chosen. The Puritans drew explicit analogies between what they were attempting and the line of sacred covenants drawn between God and man -- God and Abraham, Noah and Moses -- that is, between the law as it has been transmitted from the divine to man, the sacred source of secular law.³ The original form of law in several of the pre-revolutionary towns explicitly took the form of covenants.

Coming closer to the Revolution, Thomas Paine so revered the idea of the Constitution that he argued it should supplant the image of a sacred king as a symbol of nationhood: "It should be solemnly brought forth and placed on the divine law, the word of God and a crown be placed thereon, by which the world may know... that in America THE LAW IS KING" (Paine 1992: 98). This enthusiasm exposes, if nothing

else, the love and desire that bind the subject to the paternal metaphor -- to the law (nation, culture, mythical order, social order, community, symbolic order, and genealogical order).

There are obvious religious dimensions to the creation of the Constitution, which literally constituted a new nation/society. This leads to the barely-repressed notion that America is the promised land and its inhabitants a people chosen by God and led by His providence. The Constitution is regarded as though it were received from a sacred source, not unlike God giving Moses the law on Mt. Sinai, the law which constituted the nation of Israel. The Constitution constituted a social order that was seen to be the instrument of, the child of, the divine father. To Americans, therefore, the notion that its law is divinely inspired and should command faith and love because of this is a familiar one. And if the law/Constitution are loved by all Americans, so too are the paternal ancestors, from the Pilgrims to the founding fathers.

Morrison's Tale of America

Morrison's novel *Paradise* similarly draws on references to America's sacred foundations and sacred law. It depicts the establishment of a fundamental law, one that is both secular but divinely inspired, which creates a chosen people and is treated as the religion of the tribe. *Paradise* is an inverted black history of America, central to which is a foundational mythology not unlike that found in the Old Testament, complete with the genealogies that create and establish the legitimacy of the constitutive law. Morrison's treatment of law is a complex blend of the Biblical and American themes. The connections between the divine, the Biblical and the American constitution are not explicit, but neither are they deeply buried. Morrison's novel, then, can be read as a commentary on the history of America and the sacred dimension of its constitutive law.

Morrison also, however, associates this law not only with religion but particularly with an Old Testament patriarchal version of religion. What she will ultimately suggest in the novel is a maternal rather than paternal source of the law.

The Paternal: The Old Law of Separation

In the same way that the Puritans read the history of America biblically, the biblical analogues in Morrison's novel are inescapable. *Paradise* tells the story of a group of black Americans who leave the South during the Reconstruction when the promise of emancipation turns into the reality of racial oppression and violence. These are black Pilgrim fathers who leave the degeneracy of the old world South to found their New Jerusalem in the new wilderness of Oklahoma.

In their exodus, they move west intending to settle in one of the all-black towns established to escape the violence, humiliation and danger of white society. They finally arrive in Oklahoma where they found their own town, Heaven, their paradise on earth. The paradise they create is meant to be a virtuous foil to the lawless chaos and evil they have turned their backs on. The novel tells the story of the community's origins in flashbacks, but opens in the late 1960s when the town is an idyllic, relatively prosperous -- if isolated -- community. Most of all, it is safe from the white man. Its success, they believe, is a reward; a mark of God's justice and His vengeance for the way in which whites have treated them in the past. Their paradise is maintained by their separation, virtue, purity, and self-sufficiency. But the community's internal order begins to be threatened from within and without. From the outside, in occasional confrontations with the five females living at the Convent, an abandoned school fifteen miles away. The internal conflict comes from those sympathetic to the civil rights and black power movements, with their policies of dialogue and confrontation with the white world, rather than separation from it. The ultimate irony of the novel is that the patriarchs of this paradise become just as arrogant, harsh, violent and unjust as the white society they condemn and repudiate. The flaws of these people speak for themselves; they are not excused because they are black, or victims -- an ironic way of making the point that all are created equal in their capacity not only for virtue but for vice. There is an added ironic dimension, however, in that Haven is a mirror in which (white) America, for all its sanctimony and sacredness, recognizes itself.

The story of origins and the legitimating myth is told in flashbacks. It establishes the genealogical roots of the members of the Haven community. Most of all, it is concerned to establish what are believed to

be the sacred origins, and thus the righteousness, of their society and law; the legitimate transmission of power and authority from one generation of paternal figures to the next.

The historical project begins in 1875 with Zechariah Morgan, known as Big Papa. He has gained eminence during the Reconstruction as one of the only black men ever to be elected to a state office, to the relatively high position of Lieutenant Governor. Shortly thereafter, he is humiliated and driven from his position in the counter-revolution which Southern whites maliciously called 'the Redemption'. Although blacks were now freemen, the period of the 'redemption' saw the reintroduction of white supremacy which formed, if not slavery, then a caste system maintained through law and through violence. While other blacks who were similarly deposed are able to find white collar work, both the white and black communities deny Zechariah any work other than the most menial, and he is reduced to the ignominy of sharecropping. As he is eventually to understand, this is because of his coal black skin colour. In 1890, after fifteen years of backbreaking poverty, Zechariah joins with two other ex-office holders in a similar position and, as it happens, of a similarly dark colour. These three gather their families and with six others make their exodus to Oklahoma.

Their journey is clearly cast in Old Testament terms. The blacks are analogous to the enslaved Israelites, and their journey analogous to the Israelites' journey to the promised land. The 'founding fathers' lead their people out of the Deep South like Moses leading his people out of Pharaoh's Egypt. Along the way they encounter various problems similar to the ones faced by the Jews in their exodus -- bandits, tornadoes, starvation, physical discomfort and injury.

Added to this, however, is the greatest injury, the one that coalesces these disparate families into a people. As poor and ragtag (and with an inescapable reference to the Holy Family), they are turned away by rich Indians and poor whites. The world shattering (and new world forming) experience, however, comes when they are also turned away from an all-black town by Negroes who are more light skinned than they. While they have come to expect the opposition between rich and poor, slave and free, and sometimes white and black, they now experience an insuperable division between light and dark-skinned blacks. Called 'the Disallowing', this becomes the formative experience, the originary myth, of Haven.

Following the Disallowing, they are at their greatest point of helplessness and despair. Like Moses, Zechariah goes into the wilderness to pray and meets a stranger he recognizes as divine. The divine stranger leads the way, and shows Zechariah the precise spot on which to build his earthly paradise. They have reached the land of milk and honey. They name the town they build Haven.

Like Jerusalem, Haven flourishes then diminishes. During World War II the tribe scatters as its men serve in the armed forces throughout the US and Europe. Having risked their lives to defend America and 'what it stands for', Haven's veterans return to face another version of the Disallowing. As a 'homecoming', they face beatings, arson, riots, lynching, murder, castration and cross burning. All-black towns have failed in their mission of preserving separation and therefore providing safety. Rather than face a similar risk of dispersal, assimilation and the danger it brings, the Haven men, led by Big Papa's grandsons, Deacon and Steward, pack up and move further west into more isolated regions of Oklahoma. As on the first journey, there is another formative 'Disallowing' en route. This time Deacon and Steward's sister, Ruby, falls ill and because she is black she is refused treatment by white doctors. She dies as someone searches for a veterinarian to treat her. The new town is named in her memory, an ever-present reminder of the danger that exists outside the community's isolation, resolve and self-sufficiency.

In the fundamental community building event of the Old Testament, Yahweh speaks directly to Moses to give him the law, observance of which founds the nation of Israel. The law is the basis of a covenant: submission to it is in return for being God's chosen people. Henceforth, those who are born and stay in this community have God's special truth, they are God's blessed and privileged people.

Similarly the original founders of Haven establish a privileged position by virtue of their connection with the source of truth and holiness. They are associated with the sacred and worshipped as semi-divine. The original patriarch, Zechariah-Big Papa, is one to whom God spoke on a regular basis, to whom God showed visions of the glory (and threats of scattering). Big Papa and his son Rector (Big Daddy) have assumed the proportions of, if not gods, then those who 'walk with God'. Deacon and Steward, the present generation, draw a line directly back to their grandfather and through him to Moses and to God.

Like the Israelites, Haven worships its ancestral fathers, reveres their actions, words and ways: their law. This is its civil religion. ⁴ They believe the founders, their community, and law to be touched directly by the divine. There is unswerving faith that the father god will take care of them if they fulfill the conditions of the covenant and remain true to the law of the founders. There is thus unswerving love of, attachment to, faith in, reverence for and worship of, the founding fathers. This is a religion of the fathers.

Not only has Big Papa established a religion, but his own family takes on the role of the priesthood: Big Papa's son is named Rector and his grandsons named Deacon and Steward. They serve as the keepers of his church. Big Papa's descendants form a dynasty as well. Deacon and Steward follow him and their father as prosperous bankers, and act as though they are the city fathers (much to the annoyance of others). As the financiers of the community, all owe their existence to the Morgans -- a clear reference to the banker and robber baron JP Morgan. They are the self-appointed priests, judges and kings of this new Jerusalem.

The founding father, Big Papa, institutes the law of Haven as Moses instituted the law for the Israelites and as the Founding Fathers instituted the law of the American Constitution. The law is based on a covenant with the divine: submission in return for becoming the chosen people and possessing the promised land. Ultimately it includes immortality.

The first and foremost law of Haven/Ruby is that salvation, and survival, are to be found in staying separate and in isolation from those who are different, and by definition, inferior. The biggest sin, the greatest fear, is scattering the group, tribe, or consortium of families. Mixing means scattering and the devastation, destruction and death that follow. ⁵

Maintaining themselves as the chosen people through deliberate separation is therefore the first law; the law of the original fathers. It is handed down and reproduced by successive patriarchs, and by the fathers in individual families. Their children are born into this socio-political genealogy and law. One's social existence is preceded by this law and one's social identity (hopefully) attached to, bound, and circumscribed by it. As the fathers would have it, or as they try to arrange it, this law of separation is one's social faith and fate -- something to which there should be subconscious attachment and over which there should be as little control or variation as possible. This is law as worship of a totem, of the ancestors, of absent fathers. What Morrison will come to compare it with is a maternal image based, not on separation, but on inter-relationship.

The foundation of Haven/Ruby clearly recalls, not only Moses, but also the founding Americans, particularly the Founding Fathers who constructed a civil order with the Constitution. The merging of the Biblical and constitutional is seen in the recurring symbol of the Oven, the place of the legal text.

In the Old Testament, God commands Moses to build a tabernacle and an ark for the covenant. Similarly, the communal Oven is the first thing built on the site where the divine stranger tells Zechariah to settle. As with the tabernacle and ark, all the community's resources are devoted to it. When the new fathers relocate to Ruby they meticulously take the Oven apart and immediately reconstruct it in its new location.

The Oven is the central visible image of community. Haven is a community that is so small and close-knit that it resembles a family (everyone is related to every one else). Appropriately, the Oven is a hearth, the center of the household and the symbolic center of this communal-familial order, its source of nourishment, its heart and vital heat. The Oven is also a sacred place where the spirit of God and the founding fathers dwell. The Oven is the altar, totem pole, tabernacle, ark, and temple, all rolled into one. Most important, however, the Oven is the sacred place of the truth, for embedded in the Oven is the legal text: the tablets of stone, the Constitution. This is a cast iron plate engraved with a motto taken to be the fundamental law: 'Beware the Furrow of His Brow'. This law appears to be a commandment to live righteously, ('Beware') and avoid contact with the sinful and depraved outside world.

At the critical time in the novel, however, the law appears to be fragmenting, if not fragmented. Some of the words of the legal text have been worn away and there is debate about what the law actually states, i.e., about what the fundamental law really is, thus calling into question the identity of the community. The debate reflects the upheavals in American society in the late 1960s and early 1970s -- not only with

Watergate and Vietnam but, most pertinently, with the civil rights movement led by Martin Luther King. Debate over interpretation of the law starts the unravelling of Ruby.

There are two sides to the dispute. The fathers want to maintain their separation from the white society. The sons, the younger generation, together with the newcomer Reverend Misner, want to confront it, to exert their power and demand their place in white America, rather than evade it.

The patriarchs claim the law is, and always has been 'Beware the Furrow of His Brow', relying on oral tradition and the testimony of elders to prove their point (Morrison 1997: 87). What this emphasizes most of all is the all-powerful God; there is nothing to do other than obey. Law is the command of the (divine) sovereign. While this is an appropriate message for instilling the kind of righteous behavior enjoined upon the residents of Ruby, there is also a subtext: that message is directed not to the residents of Ruby but to those who injure them. As such it is a message of God's vengeance. This meaning comports with their civil religion, *viz*, their belief that Haven/Ruby as a black separatist (and patriarchal) community has divine sanction.

At first, the young claim it is impossible to know what the original law was. Furthermore, it is not important; what is important is to discover norms and laws that will infuse new life in the community. That means at this point they should repudiate the law of separation and engage in the civil rights movement. The younger generation argues it is just as plausible to read the law as 'Be the Furrow of His Brow'. Thus, they would be God's instrument and God's justice, his voice and retribution (87). They would assume some of the power. To the elders this means repudiating the founding fathers and all they have worked for and stood for.

As the conflict deepens, polarization between the generations grows. A black power salute appears on the Oven. This is not, however, raised triumphantly in the air, but rather is turned sideways like a fist about to strike. In a town where no violence ever occurs, the image has the visceral impact of a burning cross. Towards the end of the novel, when the patriarchs lose their grip on power due to their actions at the Convent, a new 'law' appears in the form of graffiti: 'We *are* the furrow of his brow' (298). For the elders, who believe in the all powerful and wrathful God, this is blasphemy. It is also revolt against the patriarchs.

The conflict over interpretation interestingly is one that is endemic to law, particularly to American constitutional law, and it was a conflict that came into full flower in the 1970s. The question is whether one should treat the Constitution or fundamental law as a sacred text and adopt a literalist interpretation, consulting the intention of the Framers where necessary, or whether to treat it as a living tradition which needs to be interpreted, and changed if need be, in light of contemporary situations.⁶ Departing from the literal interpretation, some fear, reduces the sacredness of the text and diminishes the authority and legitimacy of the priest-judges. More expansively, the debate is about the nature of law itself: whether it is to be taken as a writing that can be erased and rewritten, or a writing that has become an engraving, transformed into an icon which is worshipped as an image of God.⁷ This reduces law to the command of the sovereign/God to be enforced by prohibitions and sanctions. It is also, arguably, idolatry.

The battle lines in Ruby are therefore drawn: the fathers, headed by Deacon and Steward, are categorical in their adherence to a literal interpretation of the sacred text as the writing of the past. Even though the text is now impossible to decipher, like priests, they claim to know the truth of the law and claim further that the law is self-present and complete. Once formulated, nothing can be done with the law other than to comply with it. There is no room either for interpretation or deviation. If law comes in an unbroken line of succession from a sacred source, to interpret and/or to deviate, would be to commit sacrilege. It would be to topple the gods, the divine founding fathers.

In the Legendrian scheme, love of and submission to the law comes from desire for and attachment to the father. In Morrison's novel, the young are not sufficiently drawn to indicate why this attachment, or at least this submission, has not taken place. Suffice it to say they do not have the same faith and reverence for the ancestors as do elders like Deacon and Steward.⁸ They no longer worship at that altar. There is no allegiance to the Old Testament god of justice and vengeance, no allegiance to the fundamental law of separation. In fact some, like Reverend Misner, have pledged their allegiance to a different father and a different law, the Christian law of love embodied in the sacrifice of Jesus Christ. This is the Christian message that grounded King's notion of the 'Beloved Community', a community of

inclusion which, needless to say, transcends the division of colour as well as class. Rather than being a law of separation, of the patriarchal tribe, the law of this community is: 'All who follow Jesus in love of the divine father are included'. While it is still the law of a paternal head, it is nevertheless a law based on a yearning to embrace in love both one's fellow man and the divine. As far as the elders of Ruby are concerned, however, following King substitutes one father for another and is worship of a false god. To the extent that it equates God (in the form of Christ) to man, it is heresy.

One of the major ironies of *Paradise* is that, underlying the fundamental imperative to follow the fathers and, beyond the law of separation, there is another law. As the prohibition against incest is the fundamental law, here there is another prohibition -- against miscegenation and racial mixing, this however with a special twist. With very few exceptions, the residents of Haven/Ruby are dark black and the prohibition is not against racial mixing *per se*, but against mixing with any one with lighter skin, be they negro or white.

As the US Constitution created a law ostensibly for all, but in fact for whites, so too the fundamental legal order of Haven is founded on colour. Through the genealogical research that she conducts, the schoolteacher, Pat Best, discerns that the accepted inhabitants of Haven/Ruby are coal black -- 8D is her code name, the name for the darkest shade of coal mined at the deepest levels. The real fundamental law, the one created by the founders, is in fact directed at maintaining the coal black skin colour of its members, just as law in the south was directed to maintaining the purity of the white race. In this sense the fundamental law is not unlike the anti-miscegenation laws in the south which were established to maintain white supremacy.⁹ The law of separation might be one of protection but it is *au fond* one of racial purity. It is a law like the original interdiction against incest -- an original prohibition by the father around which the symbolic order is structured.

The origins of this original law are (presumably) the humiliating events experienced by Big Papa and the others when they were denied the white collar work for which they were suited, and by the original band when they were turned away by the light skinned all black town in the Disallowing. Thus they learn that the foundation of the social order is the ineradicable stigma of colour: not only the legally maintained distinction between Negro and Caucasian, but the equally maintained distinction between light skinned and dark skinned. The good is defined as whatever approximates whiteness and the degree to which it does so. This social schema is written visibly on one's body and all social consequences and 'placement', not to mention justice, follow.

Light skinned Negroes are, however, the visible manifestation of rape and racial 'tampering', of the ownership, possession and use of black women by white masters.¹⁰ Those who are coal black happen, by good fortune, to have a lineage which has escaped this appropriation and violation. The massive irony, then, is that lightness is ill-begotten, acquired through rape and appropriation of black bodies or, if voluntary, then a sexual encounter that was illegal. Mixing in this sense is not unlike incest and the offspring a product of transgression, the vice of an illicit union. The mixed race line is not only adulterated but illegitimate in all senses of the word. Thus, rather than being seen as a badge of pride, it could be seen as a badge of shame.

The shame of light skin thus cuts in two directions. For blacks it can represent and remind of violent and degrading encounters. The 'shame' of light skin also, however, sounds in the language of racial purity. For those so inclined, the mixing of the races can be seen to transgress a divinely ordered separation of the races and to produce abominable, unnatural offspring. This was the line taken by whites to justify and maintain (white) racial purity. Ironically, it is also the line taken by the fathers of Haven/Ruby and their followers who just as adamantly maintain racial purity, although in this case it is black. Anti-miscegenation and the separation it is meant to produce are, then, the real fundamental laws of the community, a law held implicitly to have divine origins (as did the law that commanded white racial purity). They are black racists and their paradise a racist state.

Arguably, the fathers would make the prohibition against racial mixing as fundamental as the law against incest. As Pat Best notes, theirs is a very small community, and because they maintain their isolation, they have few to marry if they are going to eliminate outsiders and the light skinned. The blood lines become so increasingly complicated it is difficult to determine what is incest, or what is permissible. Pat Best notes an example. August Cato married Fawn Blackhorse, a member of the extended family. Their son Billy is Pat's husband. Her daughter is a fifth cousin to the wives of Deacon and Steward, Soane and Dovey,

because Peter Blackhorse was brother to Thomas Blackhorse and Sally Blackhorse and Thomas Blackhorse was Soane's and Dovey's father. Now Sally Blackhorse married Aaron Poole and had thirteen children... [two] of those thirteen children [my daughter] is in love with, and there is something wrong with that but other than number and the blood rules I can't figure out what (197).

The price for breaking the fundamental law by 'mixing' is shunning or expulsion, i.e. social denial and death. Pat Best's mother, Delia, was an outsider, a Negro so fair she could pass for white. Delia, Pat and her daughter, Billie Delia, are thus the 'first visible glitch' in the racial purity of the community (196). This is the reason, Pat believes, for the community's hatred of her family and herself. On the eve of her mother's wedding, for example, Steward refers to her mother as the "dung they were trying to get away from". And they allowed her mother to die, she believes, rather than bring a white doctor into the town (198).

Similarly Menu Jury returns from Vietnam ecstatically in love with a 'sandy-haired' girl he has met in Memphis. His father, a descendent of one of the original fathers, gives him a choice: get rid of the girl or leave. Menu submits to his father's law in order to assume his place in the community, but does so at the price of a broken heart and perpetual drunkenness (278).

In the most striking scene, the deep structure of the law is shown to be written in the town's mythological order. The annual school Christmas play is an allegory of the first journey of the holy, that is, founding families who are turned away at various resting places. What Pat notices, however, is that while there were originally nine families, now there are only seven in the play. Two families have been cut. A survey reveals that one is the Cato family, the family of Pat's husband. Since one of their family had mixed with the light skinned Pat, they have been expelled.

Pat also speculates that the other family who has been cut is one of the Morgan twins and this, not necessarily for racial mixing, but for adultery. That leads to another fundamental prohibition: this time against adultery.

As the inhabitants of the Haven community are likened to Old Testament figures (patriarchs) and the Puritan founders of (white) America, their attitude towards sexuality is extremely puritanical. Adultery and fornication are grounds for ostracization and expulsion. Marriage is required although informal cohabitation (known as 'takeovers') was sometimes tolerated with the permission of the family. Feminine modesty, to be discussed later, is insisted upon. These rigid norms are directed to fulfilling Christian standards of virtue (and hence respectability) as well as establishing the legitimacy of offspring and the family line. Women were, therefore, subject to control as they have been in all societies.

Arguably, however, in terms of polluting the blood lines, what was to be feared even more than deviation by the women was deviation by the fathers themselves -- since they had to no one to police or control them. Here the biggest problem in *Paradise* is temptation by (the daughters of) Eve. As Pat finally understands, the basic law was a bargain struck with God -- the fathers would offer racial and sexual purity in exchange for security, protection and, indeed, immortality for the paternal line: "The generations had to be not only racially untampered with but free of adultery too... Unadulterated... 8-rock blood held its magic as long as it resided in Ruby" (217).

Which leads us to ask just what is promised in the covenant, as a reward for adherence to the law. What is meant by paradise? Until conflict develops, Ruby is indeed Eden. This is in sharp contrast to what we know of the fate of blacks in the 'real' white world. The people of Ruby are thriving and prosperous. They own their own farms, businesses, banks and homes. Their gardens grow, not with utilitarian vegetables, but with decorative flowers. There is no crime, no violence, no police. Women and children are safe on the streets. There is solidarity and the community works, plays, and celebrates together. There is no liquor, dope or television but there are many idyllic communal gatherings -- picnics, weddings, baptisms, school plays. The sweetest of events used to be the full immersion baptisms, with all this suggests of the gift of grace and the renewal of life (103). Most important, as befits paradise, no one has died in Ruby itself. Some, then, understand the bargain with God as quite literally promising immortality. Violating the law means death. Which, from their perspective, means that everything, literally their lives, rests as it did in Eden on women.

The Maternal: The New Law of Love

If one half of the novel is about the paternal image and its Old Testament law, the other, less developed half is about women -- of Ruby and at the Convent, a community drawn as Ruby's counterpart. Running parallel to the story of Haven/Ruby are the separate stories of the five women who inhabit the Convent, an equally isolated and segregated community seventeen miles outside of Ruby. One of them, it is impossible to tell which, is white. The Convent is an abandoned debauchee's mansion that once harboured a handful of nuns running a school for Indian girls. The Indians have gone away and following them, the nuns. At the opening of the novel, all that remains is the aged Mother Superior (who soon dies) and the middle aged Consolata (Connie) who was originally an orphan that 'Mother' rescued from squalor in Brazil. To the Convent come four deeply abused, abandoned and betrayed women, in their own way as marginal and alienated from mainstream America as the inhabitants of the all-black town of Ruby. In much less detail, the women establish something of a feminist paradise.

Again in flashbacks, the novel relates the symbiotic relationship which has grown between the inhabitants of Ruby and the Convent. While it is peaceful at first, it becomes more fraught with the arrival of the new women who are the polar opposites from the small town 1950s respectability of Ruby. As the internal dissention grows in Ruby, the disorder of the community is projected outward and the Convent women are blamed. They are demonized as witches who have caused otherwise inexplicable disasters and whose very existence threatens Ruby. In the final tragic scene, a group of the Ruby patriarchs massacre the women.

The Convent and its residents are a foil for the patriarchal order of Ruby. It would be nice to claim that the parallel story of the Convent is worked out in full detail and that it offers a vision that is as fully developed as that of Ruby, or is as fully integrated into the narrative. That however is not the case. What we are left with instead is an imperfect narrative that lays down the lines of a story, but is not altogether successful in integrating them. Nevertheless, what we have is not nothing.

Women in Ruby/Paradise are as complex a symbol as the Oven. The image of Eden is captured in a vision Deacon and Steward see in their early years (109). It is an idyllic picture of a group of women in one of the all-black towns dressed in pastel Sunday finery. They are frozen in an image of beauty, civility, and all that is felicitous. This is the ideal of the good life the fathers aspire to.

The power of the image, however, derives from the past associations of black women when they were used as beasts of burden and as sexual fodder for the white man, and the relative inability of the black man to defend them. One scene in the novel shows the horror of a black man as he watches white men beat a black prostitute and is impotent in the face of it (although he is equally outraged by her prostitution). The master-slave relationship is played out through the violation of the black woman and her liberation, that is, her sexual integrity and purity is equally the salvation of the black man. In Ruby, in a very real sense, the women are southern ladies -- not only the teachers and guardians of manners and civility but also the repository of male honour.

The women in Ruby are idealized and live something of an idyllic life (who could deny the sweetness of these images of family, domesticity and community). The idealization includes, however, a division of labour and traditional gender roles which are strictly maintained by a myriad of conventions, customs and 'laws' regarding proper womanhood and housewifery. There is an abstract, shadowy quality about these women; they are passive, dreamy, almost childlike. Nor do they thrive as mothers, the area where their strength would be most likely to appear. Steward's wife, Dovey, is childless and only takes pleasure in seeing and talking to a gentle male apparition she calls her Friend. Deacon's wife, Soane (the most down to earth), is 'absent' from grief over the loss of her two sons, her only children, in Vietnam. Another woman, Sweetie, goes mad from tending her four frail, dying children. With the exception of the eighty year old Lone, a midwife and visionary whose world is passing, there are no strong, self-sufficient, independent women in Ruby. ¹¹

There are several ways in which the women of the Convent are a foil to the social order of Ruby. The most obvious lies in the fact that they live independently, without men unless they want them and then on their own terms. As a result, at the same time as the founding fathers are likened to Old Testament patriarchs, the convent women are likened to a Biblical parade of female worthies -- Eve, Jezebel, Salome, the whore of Babylon -- with the Convent likened to Sodom and Gomorrah. Thus, if the

founders of Haven/Ruby are Pilgrim/Puritan fathers, the women of the Convent are the witches they ultimately pursued and executed.

In contrast with the good wives of Ruby, the Convent women are presented as sexual, not just sexless domestic beings. The obvious example is Gigi (Grace) who flaunts her sexuality publicly in Ruby and, in her immodesty, scandalizes Ruby's Christian inhabitants. There is also a suggestion that two others have a lesbian relationship. What this sexuality threatens, besides Ruby's respectability, is the fundamental law of maintaining blackness and separation. The only surviving male of the Morgan line, KD, has been besotted with Gigi and, having an illicit affair with her for the last three years, refuses at the same time to marry a Ruby girl who he has made pregnant.

In a more serious episode however, we learn that in the past Deacon and Consolata carried on a rapturous and adulterous sexual affair until his brother found out and until Consolata's consuming passion overwhelmed him. He comes to realize that the affair threatened to upset not only his own marriage and family, but to betray his entire genealogical line and the fundamental law. By giving in to this temptation, he realizes that he has violated every principle Ruby/Haven is founded upon: he has broken the fundamental law(s); committed the sin of adultery; risked light skinned offspring; shamed the founding father, Big Papa. What his fall into temptation has put at risk is the covenant with God. He directs his aggression against Consolata and the women at the Convent, despising what he fears and is ashamed of.

As was the case with New England witches, the unattached, uncontrolled female is the principle that threatens to disrupt the social order -- indeed the principle of order itself. As Ruby is threatened from the inside by the civil rights dissidents, this is projected outward onto the devil-inspired Convent women. They are blamed for causing a number of unexplained disasters (which in fact have 'natural' causes). As a result, an inner group of the fathers meet at the Oven and agree to go to the Convent, an action that resembles nothing so much as that of the Ku Klux Klan. In the most significant scene, Deacon faces Consolata and as he is unable to, his brother Steward ruthlessly shoots her. As Pat Best tells the story,

nine 8-rocks murdered five harmless women (a) because the women were impure (not 8-rock); (b) because the women were unholy (fornicators at the least, abortionists at most); and (c) because they *could* -- which was what being an 8-rock meant to them and was also what the 'deal' required (297).

The executions at the end are, like the witch hunts, carried out in the name of God, his law and his covenant. In their arrogance, the patriarchs have become what their ancestors despised and repudiated in the white south: a law defined by "judges and destroyers of the needy, defenseless, different" (302). To underscore the point, as the events at Convent take place the Oven slips on its foundations (287). This is the Fall, the end of Eden. With the loss of innocence and the appearance of sin, paradise disappears and, with it, immortality. The enormity of their loss is made clear as one of Sweetie's innocent babies simultaneously dies, the first person to die in Ruby (296).

The social order in Haven/Ruby is maintained through Old Testament patriarchal principles of command and sanction, of law and retribution. This law is a law of the separation of subject from subject, people from people, self from self. The Convent women, on the other hand, establish a new religion, a new law of love, pity and compassion. This is the least developed and least satisfactory aspect of Morrison's novel and at times it descends into bathos and cliché. Nevertheless it is sketched in a way that suggests a maternal alternative to the paternal law of Ruby.

Just as the Pilgrims built a garden, the New Jerusalem, out of the wilderness, so too the Convent suggests a paradisaal garden of its own. It is as sufficient and plentiful as Ruby, or as plentiful as is needed to provide for its residents. Food is a recurring theme. The kitchen of the Convent is many times bigger than most people's houses and the natural and healthy foods prepared there are lovingly and almost erotically described. The peppers they grow are regarded as miraculous and Consolata and the nuns know the secrets of herbal medicines. In general, what the Convent is portrayed as providing is nourishment and succour and, as Connie's name suggests, consolation. While the center of Ruby is the Oven with its command of 'Beware', the center of the Convent is Connie's welcoming kitchen.

Where the social order of Ruby is separatist -- exclusive and excluding -- the convent is run on the

inclusive principles of *caritas*. The women who are there have come as victims and refugees from violence, abuse, abandonment, betrayal, degradation, exploitation (victims not unlike the founders of Haven). Each is taken in with no questions asked and each is given love and care with nothing expected in return. The same is true for the residents of Ruby who seek help at the Convent -- Menus for the DT's, Arnette for her abortion/miscarriage, Sweetie when she is deranged from grief over her children. The community is one that is inclusive and universal, indifferent to the difference between insider and stranger, male and female, black and white (the white woman is never identified).

In the course of the story, Consolata is increasingly associated with the supernatural. After Deacon breaks with her, a sunbeam blinds her and is taken to be a sign (241). Following that, she is said to have developed second sight and healing powers ('practicing', 'stepping in', 'seeing in') that cause her to raise the dead (241). She is visited by a strange cowboy who may be the serpent, or then again, may be the divine.

Connie gradually becomes the new Reverend Mother and, with the five women at the Convent, creates a female 'religion' which the Ruby elders consider to be worship of the devil (263). The rites that are described are stereotypically New Age: lying naked in a circle; loud dreaming; ridding themselves of their psychological demons; shrieking; murmuring; dancing in the rain which, not unlike a baptismal ceremony, lifts their burdens and washes away the guilt, anger, betrayal and pain they are each in thrall to (283). To the Ruby patriarchs, this is a witches' coven.

Morrison's is a vision, however, of love, not unlike the love of Christ (without the suffering on the cross to satisfy a powerful father). Just as Reverend Misner fights against the other pastors of Ruby to supplant their harsh Calvinism with his Christ-centered message of love, so too the women's religion offers forgiving succour and redemption, rather than Old Testament harshness and punishment. By virtue of it, unlike the patriarchs of Ruby, they are no longer haunted (266).

What is significant is that when the women are in their own space they learn to speak their own language and are not weighed down and silenced by the language and narrative of the patriarchs. Rather, this is a space which Connie provides that enables them their shame, pain, fear and that offers them nurture, strength, hope and forgiveness. In all senses, this is a maternal space.

After the massacre, the novel ends in a vein of magical realism. The bodies of the women disappear and the residents of Ruby rewrite the story of the events to suit their needs. Each of the women reappears or is imagined as a spirit appearing in her former life, only this time they appear not as victims but as a powerful force, 'bodacious black Eves' who redeem the formerly tragic lives they had left.

The final scene is the most visionary (318). There we see a young woman (presumably Consolata) on a beach (presumably in Brazil) with Piedade ('pity, mercy, compassion'), presumably the mother she remembers from childhood. Here is madonna and child. Piedade's black face is framed in cerulean blue, an image of maternal holiness. Her song is a song like the waves, without words, of solace, of ease, bliss, love. The younger woman rests her head in Piedade's lap and worships her with emerald eyes. The image they present is the maternal alternative to interdiction and separation of the paternal law. There is no boundary or separation between them: the child is united with the mother, victim with comforter. They transcend the separation of self and other. As a daughter writes of her mother in the most moving passage in *Beloved*:

I am Beloved and she is mine... I am not separate from her... there is no place where I stop... Her face is my own and I want to be there in the place where her face is and to be looking at it too... she is the laugh... I am the laughter... I see her face which is mine' (1987: 259-61).

The love of self and other, through the redemptive love of the maternal image has supplanted the divisive self-alienation and separateness at the heart of the paternal social order.

References

Bellah R 1992 *The Broken Covenant* Seabury Press New York

Evans M 1984 *Black Women Writers: 1950-1980* Anchor Press Doubleday Garden City New York

Freud S 1985 *Totem and Taboo* Penguin Freud Library vol 13 Penguin Books Harmondsworth

Goodrich P 1990 *Languages of Law* Weidenfield and Nicolson London

--1997 *Law and the Unconscious: A Legendre Reader* Macmillan London Jacobson A 1992 'The Idolatry of Rules: Writing Law According to Moses, with Reference to Other Jurisprudences' in Cornell D et al eds *Deconstruction and the Possibility of Justice* Routledge New York

Legendre P 1995 'The Other Dimension of Law,' 16 *Cardozo Law Review*

Levinson S 1988 *Constitutional Faith* Princeton University Press Princeton New Jersey

Morrison T 1984 'Rootedness: The Ancestor as Foundation' in *Black Women Writers: 1950-1980* Mari Evans ed

--1987 *Beloved* Alfred Knopf New York

--1997 *Paradise* Alfred Knopf New York

Paine T (1776) 1982 *Common Sense* Penguin Books Harmondsworth

Taylor-Guthrie D 1994 *Conversations with Toni Morrison* University Press of Mississippi Jackson MS

Footnotes

1 This description relies on the following sources: Goodrich, P., 'Introduction: Psychoanalysis and Law', in Goodrich 1997; Legendre 1995; Goodrich 1990.

2 See, for example, Levinson 1988; Bellah 1992.

3 These themes are explored in Levinson 1988.

4 In this there is an ironic glance at the ancestor worship one finds in the white south and southern writers, particularly Faulkner. See, for example, the character Hightower in *Light in August*.

5 See Zechariah, vii, 14. This is particularly true of Big Papa and the Morgans who take pride in the fact that they survived together under unspeakable conditions since 1755. Their American origins go back further than those of most whites.

6 See Levinson 1988: 27: to this day there are extensive debates over these two positions.

7 For further development of this theme, see Jacobson 1992: 95.

8 Attachment to the ancestors is a recurring theme in Morrison's work, see, for example, Morrison 1984 in Taylor-Guthrie 1994: 226ff. She takes it and the variations in degree over time as given and does not go into much detail as to how the attachment does nor does not come about.

9 These laws were declared unconstitutional in *Loving v Virginia*, 388 U.S. 1 (1967).

10 Morrison's brilliant novel, *Beloved* (1987), spells out the appalling details of what this meant for black women.

11 There are no strong images of women in the past, the genealogical line, either. The few times when Deacon and Steward's mother, sister and grandmother are mentioned, it is with a gallant, protective quality, as if these were fragile women who needed male protection. They were, however, literally pioneers who built a life in the wilderness.